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13
14 **UNITED STATES DISTRICT COURT**
15
16 **FOR THE DISTRICT OF NEVADA**

17 EYE-FI HOLDINGS, LLC, a Delaware
18 limited liability company; and EYE-FI, LLC,
19 a Nevada limited liability company,

20 Case No. 2:24-cv-00925

21 v.
22

23 BRIAN BERGESON, an individual; KYLE
24 NAKAMOTO, an individual; and 3 DOTS,
25 LLC, a Nevada limited liability company,

26 Defendants.

27
28 **STIPULATION AND ORDER TO EXTEND
TIME FOR DEFENDANTS TO RESPOND
TO PLAINTIFFS' FIRST AMENDED
COMPLAINT [ECF NO. 18]**

29 **(First Request)**

30 IT IS HEREBY STIPULATED by and among Plaintiffs EYE-FI HOLDINGS, LLC and
31 EYE-FI, LLC (collectively, "Plaintiffs") and Defendants BRIAN BERGESON ("Bergeson"), 3
32 DOTS, LLC ("3 Dots"), and KYLE NAKAMOTO ("Nakamoto," or collectively with Bergeson
33 and 3 Dots, "Defendants"), through their undersigned counsel, as follows with respect to Plaintiffs'
34 First Amended Complaint [ECF No. 18] filed on August 5, 2024:

35 WHEREAS, on May 16, 2024, Plaintiffs initiated the above-captioned case by filing their
36 *Complaint* [ECF No. 1] against Defendants;

37 WHEREAS, on July 1, 2024, Defendants filed their respective Motions to Dismiss
38 Plaintiffs' original Complaint [ECF Nos. 10 and 12];

39 WHEREAS, on July 11, 2024, Plaintiffs and Defendants entered into a Stipulation to

1 Extend the Time for Plaintiffs to respond to the pending Motions to Dismiss [ECF No. 14];

2 WHEREAS, on July 16, 2024, the Court entered an order granting the aforementioned
3 stipulation [ECF No. 15];

4 WHEREAS, on July 31, 2024, Plaintiffs and Defendants entered into a second Stipulation
5 to Extend the Time for Plaintiffs to respond to the pending Motions to Dismiss [ECF No. 16],
6 which was granted by the Court on the same day;

7 WHEREAS, on August 5, 2024 and pursuant to Fed. R. Civ. P. 15(a)(1) and the
8 aforementioned stipulations, Plaintiffs amended their complaint as a matter of right and filed their
9 First Amended Complaint [ECF No. 18];

10 WHEREAS, pursuant to Fed. R. Civ. P. 15(a)(3), the deadline for Defendants to respond to
11 Plaintiffs' First Amended Complaint is currently set for August 19, 2024;

12 WHEREAS, the currently existing response deadline of August 19, 2024 conflicts with
13 undersigned counsel for Defendants' pre-existing schedule;

14 WHEREAS, Plaintiffs and Defendants have met and conferred and agreed to and stipulate
15 as follows:

16 **IT IS HEREBY STIPULATED** by and among Plaintiffs and Defendants that Defendants'
17 deadline to respond to the First Amended Complaint [ECF No. 18] **shall be due on or before**
18 **September 9, 2024;**

19 **IT IS FURTHER STIPULATED** by and among Plaintiffs and Defendants that Plaintiffs
20 deadline to respond to any responsive pleading or motion filed by any of Defendants **shall be due**
21 **on or before October 14, 2024;**

22 **IT IS FURTHER STIPULATED** that this request is not made for the purpose of
23 hinderance or delay, and is made in good faith.

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25 ///

26 ///

27 ///

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1 **IT IS SO STIPULATED.**

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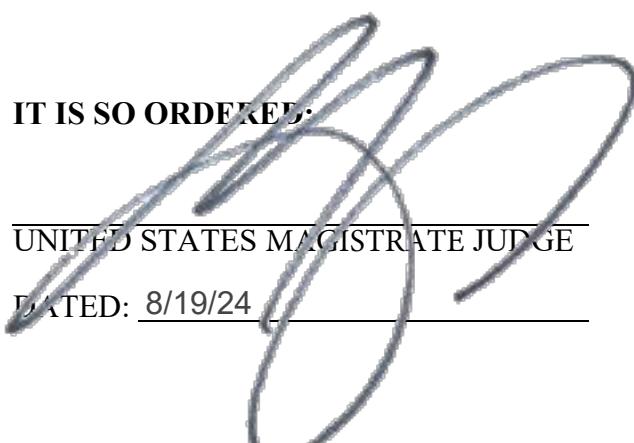
6 *Attorneys for Defendants Brian Bergeson*
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14 *Attorneys for Defendant Kyle Nakamoto*

15 **IT IS SO ORDERED.**

16 
17 **UNITED STATES MAGISTRATE JUDGE**

18 DATED: 8/19/24

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